

Lugar  
Mack  
McCain  
McConnell  
Moseley-Braun  
Murkowski  
Murray  
Nickles

Robb  
Roberts  
Roth  
Santorum  
Sessions  
Shelby  
Smith (NH)  
Smith (OR)

Snowe  
Specter  
Stevens  
Thomas  
Thompson  
Thurmond  
Torricelli  
Warner

#### NAYS—24

Baucus  
Boxer  
Breaux  
Bryan  
Campbell  
Cleland  
Coats  
Daschle

Durbin  
Feingold  
Feinstein  
Ford  
Glenn  
Harkin  
Inouye  
Kerrey

Landrieu  
Mikulski  
Moynihan  
Reed  
Reid  
Rockefeller  
Sarbanes  
Wyden

#### NOT VOTING—4

Conrad  
Dorgan

Grams  
Wellstone

The motion to lay on the table the amendment (No. 28, as modified) was agreed to.

Mr. MURKOWSKI. I move to reconsider the vote.

Mr. REID. I move to lay it on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 27

The PRESIDING OFFICER. The pending question is amendment 27, offered by the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I rise to ask for passage of the Thurmond-Hollings amendment to the pending Nuclear Waste Policy Act bill. The pending bill includes a prohibition against storing commercial spent nuclear fuel at the Hanford site in Washington State. This amendment would include an exemption for the Savannah River site and an adjoining site in Barnwell County, SC.

Mr. President, the purpose of the amendment is to level the playing field among all states, should the Department of Energy have to select an alternate interim storage site.

There are three sites under the jurisdiction of the Department of Energy which currently have facilities that might be capable of accepting spent nuclear fuel. They are the Hanford Nuclear Reservation in Washington, the Idaho National Environmental and Engineering Laboratory in Idaho, and the Savannah River site in South Carolina. Let me note that these facilities are near their capacity and would require many significant upgrades to take on a commercial mission.

The pending bill explicitly exempts the Hanford site from being selected for interim storage. The State of Idaho has a legally enforceable court order prohibiting importation of new wastes into the State. This leaves South Carolina as the only other State with facilities capable of accepting spent nuclear fuel.

Passage of the amendment is not intended to impact the overall success or failure of this legislation. It is only intended to ensure that if the Department finds that the Yucca Mountain facility is not suitable for spent fuel storage, that all States would then be placed on an equal footing for the

siting and construction of a new state-of-the-art storage facility.

Mr. President, I urge adoption of the amendment.

Mr. MURKOWSKI. I believe both sides are ready to accept the amendment by voice vote.

The PRESIDING OFFICER. Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 27) was agreed to.

Mr. MURKOWSKI. I move to reconsider the vote.

Mr. REID. I move to lay it on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 26

Mr. MURKOWSKI. Mr. President, I ask for the yeas and nays on the Murkowski substitute.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Yeas and nays were ordered.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURKOWSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. MURKOWSKI. I ask unanimous consent there now be a period of morning business until the hour of 1:30, with Senators permitted to speak for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from New Mexico.

#### PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Dr. Bob Simon, who is on detail on my staff, be granted the privilege of the floor during the pendency of S. 104.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Chair.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 546 are lo-

cated in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. LEAHY. I ask unanimous consent to proceed for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FEDERAL JUDICIARY VACANCIES

Mr. LEAHY. Mr. President, we are now in April and we have been in session for 4 months. We have confirmed two Federal judges in 4 months. That is half a Federal judge a month. There are almost 100 vacancies in our Federal judiciary. That means that puts a strain on our Federal justice system. Cases cannot be heard because judges are not there. Prosecutors are forced to plea bargain in cases they do not want to. If you are a private litigant in a business or just an individual and you have suits you want heard, they cannot be heard.

The Chief Justice of the United States has said it is a crisis situation. It is.

Mr. President, I urge the leadership of this body to start moving forward and get some of the vacancies filled, take the judges that have already been nominated, get them confirmed, and show respect to the independent Federal judiciary of this country.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that I may be allowed to proceed as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING THE HOLOCAUST

Mr. LIEBERMAN. Mr. President, this month we observe the 52d anniversary of the beginning of the end of World War II, and the liberation of victims of the Holocaust in Europe. Just 2 years ago, the 50th anniversary of the war's end, there were many ceremonies, memorials, books, articles, and television programs marking the events of 1945. Now, much of the world's attention seems focused on the coming millennium, and the beginning of the 21st century.

But we must not allow ourselves to forget those events of the 20th century that continue to shape our lives. And we must never allow humanity to forget the awful truth of the Holocaust, for if we do, we risk unleashing the horror of that time on the world once again. The act of remembrance becomes more difficult with each passing year, for there remain fewer and fewer eyewitnesses to history. Fewer survivors of the Holocaust remain. Fewer